

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/625,790
Filing Date	July 26, 2000
First Named Inventor	Stuart W. Peltz
Art Unit	1652
Examiner Name	D.J. Steadman
Attorney Docket Number	1368-10 DIV/RCE

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☐ Other _____

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/Declaration(s)

iv. ☐ Other _____

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. **08-2461**

i. ☒ RCE fee required under 37 CFR 1.17(e)

04/19/2005 SFELEKE1 00000068 09625790

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)

01 FC:2801

395.00 DP

iii. ☐ Other _____

b. ☒ Check in the amount of \$ **680.00** enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)

Gloria K. Szakiel

Registration No. (Attorney / Agent)

45,149

Signature

Date

April 15, 2005

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print / Type)

Barbara Thomas

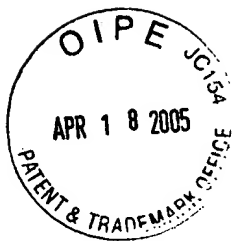
Signature

Date

April 15, 2005

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Peltz, et al.

Examiner: Steadman, D.J.

Application No.: 09/625,790

Group Art Unit: 1652

Filed: July 26, 2000

Docket: 1368-10 DIV/RCE

Confirmation No. 8302

Dated: April 15, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to: Commissioner for Patents, Alexandria, VA 22313

Dated: April 15, 2005

Signature Barbara Thomas

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE PURSUANT TO 37 C.F.R. §1.111

Sir:

This amendment is filed as the submission accompanying a Request for Continued Examination pursuant to 37 C.F.R. §1.114. A petition for a one-month extension of time also accompanies this request.

The due date for filing the Request for Continued Examination with a one-month extension of time is April 15, 2005.

A check for the fee of \$680.00 is enclosed, which represents the petition fee for a one-month extension of time (\$285.00) and the fee for filing the Request for Continued Examination (\$395.00). The one-month extension of time fee represents the difference between the third and second month extension fees, since Applicants have already requested and paid for a two-month extension of time in the Response under 37 C.F.R. §1.116 dated March 4, 2005.

Application No.: 09/625,790
Amendment and Response dated April 15, 2005
Reply to Office Action of March 28, 2005
Docket No.: 1368-10 DIV/RCE
Page 2

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks begin on page 7 of this paper.